REMARKS

This is in response to the Final Office Action dated March 2, 2004, and accompanies a Request for Continued Examination ("RCE") filed concurrently herewith. By this Amendment, claims 8-15 have been cancelled and new claims 35 and 36 have been added. Thus, claims 2-7, 16-29, and 33-36 are in the application for examination. Of these claims, claims 17, 33, and 35 are in independent form.

Filed separately herewith is a Petition for a three-month extension of time, along with the requisite fees, including fees for filing the RCE, in the amount of $860.00, included in the credit card payment Form PTO-2038 also filed concurrently herewith. If the amount is in error, the Patent and Trademark Office is authorized to debit or credit, as appropriate, the undersigned attorneys' Deposit Account No. 06-1358.

Also filed herewith is PTO Form 1449 and a copy of commonly assigned U.S. Patent No. 6,736,568, the foreign counterpart of which has already been identified in the specification at page 14, and a published application already cited in an Information Disclosure Statement dated December 4, 2001.

The claims as now presented are directed to the embodiment depicted in Figure 5 as described on page 20, line 20, through page 21, line 19, as well as page 14, lines 4-10. The invention as now claimed involves the use of a method to drive a cohesion enhancing material, such as a grout or lime, into the body of the substrate to stabilize the substrate by increasing the relative cohesion of the substrate particles.

The invention as presently claimed relates to the use of the method of using electroosmosis to drive a cohesion inducing material into the substrate mass from the EKG, which is comprised as a reservoir for the conditioning material, to increase the cohesive stability of the substrate mass. For example, it is a method for creating a more effective lime pile or soil nail. The invention in accordance with the amended claims thus relates to the use of electroosmosis to affect the physical properties of the substrate mass as an engineering structure.

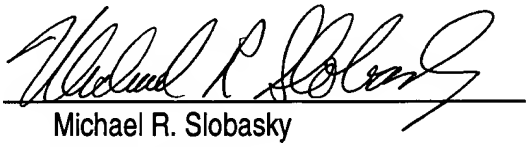
Much of the prior art of record relates to drainage, where the concern is removal of moisture from the substrate mass. Where the prior art of record has concerned itself also with the introduction of a specific conditioning species into the substrate mass, and the use of electroosmosis to drive this conditioning species through the substrate mass, this has been concerned solely with the chemical or bio-chemical remediation of the substrate mass, for example, as a decontamination method. In other words, the prior art has concerned itself with altering the chemical or bio-chemical properties of the substrate mass as a chemical medium, rather than the physical properties of the substrate mass as an engineering medium.

The Marks and Griffiths patents describe such systems for chemical remediation. There is no suggestion in the prior art of record that the particular effectiveness of the present invention in providing a more stable physical structure to the substrate mass by using the EKG to drive a cohesion inducing species through the substrate mass, in particular to increase the effectiveness of a lime pile, soil nail or the like, could be achieved in the manner described in the present invention. The invention in accordance with the amended claims is novel and inventive over all of the prior art of record.

Thus, this application is now be in condition for allowance. Should the Examiner have any questions or comments after reviewing this Amendment, the Examiner is cordially invited to telephone the undersigned attorneys.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 

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